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Compilation on Pakistan

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of the information contained in the reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1]

2. A number of treaty bodies, special procedure mandate holders and United Nations entities recommended that Pakistan ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance,[2] the Optional Protocols to the International Covenant on Civil and Political Rights, to the International Covenant on Economic, Social and Cultural Rights,[3] to the Convention on the Elimination of All Forms of Discrimination against Women,[4] to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[5] and to the Convention on the Rights of the Child on a communications procedure,[6] the 1951 Convention relating to the Status of Refugees and its 1967 Protocol,[7] the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness,[8] the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[9] the International Labour Organization (ILO) Home Work Convention, 1996 (No. 177)[10] and Domestic Workers Convention, 2011 (No. 189),[11] the Rome Statute of the International Criminal Court[12] and the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention against Discrimination in Education.[13]

3. Pakistan has contributed annually to OHCHR since 2012.[14]

4. In 2016, the United Nations High Commissioner for Human Rights expressed deep regret at the failure of the authorities to grant his Office access to Pakistan-administered

Kashmir, given grave concerns about allegations of serious human rights violations, including on the excessive use of force.[47]

III. National human rights framework[48]

5. The United Nations country team noted the establishment of the National Commission for Human Rights in 2015 and the adoption of the National Human Rights Action Plan in 2016.[49] The Committee on Economic, Social and Cultural Rights and the Human Rights Committee recommended that Pakistan ensure that the mandate and responsibilities of the Commission were in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and allocate sufficient funding for its effective functioning.[50]

6. The Committee against Torture was deeply concerned that the Chairman of the Commission had not received the required authorization to travel and had therefore been unable to participate in a briefing with the Committee just prior to the interactive dialogue, despite the invitation issued. It was also deeply concerned that the Commission was unable to inquire into the practices of the intelligence agencies and was not authorized to undertake full inquiries into reports of human rights violations by members of the armed forces.[51] The Human Rights Committee recommended that Pakistan strengthen the power of the Commission and ensure that it was able to investigate all allegations of violations of rights under the International Covenant on Civil and Political Rights, committed by any official entity.[52]

7. The United Nations country team was concerned about the weak capacity of the Ministry of Human Rights to collect and analyse data and monitor the implementation of recommendations made by international human rights mechanisms.[53] It was also concerned about the weak capacities and overlapping and vague mandates of human rights institutions established at the provincial level by devolution of powers pursuant to the eighteenth Constitutional amendment.[54]

8. Concerning recommendations on human rights education from the previous universal periodic review, UNESCO stated that there was no evidence that initiatives had been taken to develop educational courses on human rights.[55]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination[56]

9. The Committee on Economic, Social and Cultural Rights recommended the revision of articles 25 to 27 of the Constitution with a view to ensuring prohibition of discrimination on all grounds, including colour, language, political or other opinion, national or social origin, property, disability, sexual orientation and gender identity or other status. It also recommended that comprehensive anti-discrimination legislation be adopted.[57] The Human Rights Committee made a similar recommendation.[58]

10. Several treaty bodies recommended that Pakistan end discrimination against scheduled castes (Dalits), particularly in access to employment and education.[59]

11. The Committee on the Elimination of Racial Discrimination remained deeply concerned at the reportedly high incidence of hate crimes against persons belonging to ethnic and religious minorities, particularly Hazaras, Christian Dalits, Hindu Dalits and Ahmadis, and the absence of investigation and prosecution.[60] The Committee against Torture was concerned about reports of violence against members of Shia, Christian and Ahmadiyya communities and individuals accused of blasphemy.[61]

12. The Committee on the Elimination of Racial Discrimination recommended that Pakistan end violence against minority groups, combat the segregation of members of those communities and ensure that they enjoyed their rights to employment, health care, education and other basic services.[37]

13. The United Nations country team noted with concern that HIV high-risk populations continued to face discrimination in accessing sexual and reproductive health information and services.[38]

14. The United Nations country team welcomed the announcement, following a court ruling, that transgender persons would be counted for the first time in the national census from March 2017.[39] The Committee on Economic, Social and Cultural Rights recommended that Pakistan decriminalize same-sex relations between consenting adults and take the measures necessary to combat discrimination based on sexual orientation and gender identity.[40] The Human Rights Committee made a similar recommendation.[41]

2. Development, the environment, and business and human rights[42]

15. The United Nations country team deemed it crucial that Pakistan reduce population vulnerability to the impacts of floods and droughts.[43]

16. The Committee on the Rights of the Child recommended that Pakistan conduct an assessment of the effects of polluted air, water and soil on children's health, as a basis for designing a well-resourced strategy to remedy the situation.[44]

3. Human rights and counter-terrorism[45]

17. While acknowledging the security challenges faced by Pakistan, the Working Group on Enforced and Involuntary Disappearances recalled that no circumstances whatsoever could be invoked to justify enforced disappearances.[46] It reiterated that "preventive detention" regimes and rules that allowed suspects to be arrested without a warrant should be scrutinized.[47]

18. The Committee against Torture was deeply concerned that counter-terrorism legislation, particularly the Anti-terrorism Act of 1997, eliminated legal safeguards against torture. The legislation allowed security agencies and civil armed forces to detain any person suspected of committing an offence under the Act for up to three months without review or the possibility of lodging a habeas petition. It also allowed the detention without trial for up to a year of any person suspected of being involved in the activities of a proscribed organization.[48]

19. The Committee was deeply concerned that Pakistan had authorized military courts to try civilians for terrorism-related offences, most recently in 2015[49] under the twenty-third amendment to the Constitution.[50] The Human Rights Committee recommended that legislation relating to the military courts be reviewed in order to abrogate their jurisdiction over civilians and their authority to impose the death penalty.[51]

20. The Committee against Torture was concerned about the very broad powers given to the Army to detain people suspected of involvement in terrorist activities without charge or judicial supervision in internment centres under the Actions (in Aid of Civil Power) Regulation of 2011.[52]

21. The Committee on the Rights of the Child was gravely concerned about the large number of children killed as a result of counter-terrorism activities and acts of terrorism, including the killing of 142 children in an attack on a school in Peshawar in 2014.[53] The High Commissioner for Human Rights and the Special Rapporteur on the right to education also condemned in the strongest terms the attack on defenceless children at the mixed school in Peshawar.[54]

22. Following his visit to Pakistan, in 2013, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism indicated that Pakistan had not consented to the use of drones on its territory and that it considered the drone campaign to be counter-productive and to be radicalizing a whole new generation, thereby perpetuating the problem of terrorism in the region.[55]

B. Civil and political rights

1. Right to life, liberty and security of person[49]

23. In December 2014, the High Commissioner for Human Rights expressed deep regret at the lifting of the moratorium on the death penalty, which had been put in place in 2008, and urged Pakistan to re-impose the moratorium.[50] A group of special rapporteurs also warned against the resumption of the death penalty for terrorists acts.[51]

24. The High Commissioner noted that more than 8,000 people remained on death row in Pakistan, of whom approximately 800 had reportedly been juveniles at the time of the commission of the offence. The moratorium had initially been lifted for terrorism-related crimes only but, in March 2015, it was lifted generally.[52]

25. The Committee on the Rights of the Child was seriously alarmed by reports that several individuals had been executed for offences committed when they were under the age of 18 years or when the age of the individual was contested.[53] The Special Representative of the Secretary-General on Violence against Children and a group of special rapporteurs also condemned the execution of juveniles.[54]

26. The Human Rights Committee recommended that Pakistan reinstate the moratorium on the death penalty and consider abolishing the death penalty. Should the death penalty be maintained, Pakistan should take all measures necessary to ensure that it was used only for the "most serious crimes" involving intentional killing, that it was never mandatory, that pardon or commutation of the sentence was available in all cases, that it was never imposed in violation of the International Covenant on Civil and Political Rights, including in the absence of fair trial procedures, and that it should not be imposed by military courts, in particular in respect to civilians, and that no person who was below the age of 18 years at the time of the commission of an offence was subjected to the death penalty.[55]

27. In 2016, the Working Group on Enforced and Involuntary Disappearances regretted that most of the recommendations it had made following its visit in 2012 had not been implemented. It reiterated its grave concern about the widespread practice of enforced disappearances, especially in Sindh.[56]

28. The Working Group also regretted that, according to information received, existing domestic legislation was considered to be adequate to cover the crime of enforced disappearances, despite a previous commitment made by Pakistan in the context of the 2012 review to specifically criminalize enforced disappearance. It urged Pakistan to swiftly criminalize enforced disappearance.[57]

29. The Committee against Torture was deeply concerned at consistent reports about the widespread use of torture by the police with a view to obtaining confessions from persons in custody.[58] It recommended that Pakistan take measures to ensure that all police officers were prohibited by law from engaging in torture and ensure that those engaged in torture were prosecuted and punished.[59] The Committee urged Pakistan to take measures to ensure that persons who filed complaints concerning conduct amounting to torture, as well as witnesses to torture and their families, were protected against harassment and intimidation in retaliation.[60]

30. The Committee urged Pakistan to take the necessary measures to incorporate into its legislation a specific definition of torture that covered all the elements contained in article 1 of the Convention against Torture.[61]

31. The Committee against Torture and the Human Rights Committee were concerned at reports of severe overcrowding and extremely poor conditions in places of detention. Both Committees were also concerned at reports that a high proportion of the prison population consisted of pretrial detainees and that juvenile prisoners were kept together with adults.[62] The United Nations country team was concerned that the majority of legislation relating to prisons, particularly the Prison Act 1894, were out of date.[63]

32. The Committee against Torture was concerned about reports that legal safeguards for persons deprived of liberty were not respected in practice. It was also concerned at the lack of effective implementation of the right to request and receive an independent medical

examination promptly and that not all detentions were recorded promptly in a comprehensive central detention register that was accurate and accessible to the family members of detainees.[54]

2. Administration of justice, including impunity, and the rule of law[55]

33. The Special Rapporteur on the independence of judges and lawyers recommended that Pakistan urgently improve the formal justice system in order to discourage recourse to informal "justice" systems. The jurisdiction of the Supreme Court and the application of the Constitution should be extended to all territories, including the Federally Administered Tribal Areas.[56]

34. The Committee against Torture was concerned about reported discrepancies in the administration of justice, including with respect to the jurisdiction of the Federal Sharia Court.[57] The Special Rapporteur on the independence of judges and lawyers recommended that a genuine discussion on the independence, utility and functions of the Federal Sharia Court be held with a view to considering its possible elimination, and that clear criteria guiding *suo moto* procedures be adopted by the Supreme Court.[58]

35. The Special Rapporteur also recommended that the Government implement measures to ban informal justice systems, such as jirgas and panchayats.[59]

36. The Working Group on Enforced and Involuntary Disappearances remained concerned that the Constitution still legally barred the High Courts from hearing cases relating to the armed forces. It recommended that Pakistan remove that limitation.[60]

37. The Committee on the Elimination of Racial Discrimination remained concerned that persons belonging to ethnic and religious minorities, refugees and the scheduled castes (Dalits) had limited access to justice owing to high legal fees and the lack of clarity on the criteria and procedure for applying for the free legal assistance programmes provided for in the 2016 National Human Rights Action Plan.[61]

38. The Working Group on Enforced and Involuntary Disappearances was concerned that no comprehensive mechanism for full and prompt reparation, including social and medical assistance to relatives of disappeared persons, had been established.[62] It remained concerned about reported cases of threats, reprisals and harassment against families of disappeared persons and human rights defenders, including lawyers who worked on issues relating to enforced disappearance.[63]

39. UNESCO urged Pakistan to continue to investigate the cases of killed journalists, and to voluntarily report to it on the status of the judicial follow-up.[64]

40. The Working Group on Enforced and Involuntary Disappearances observed that there was a climate of impunity with regard to enforced disappearances and that the authorities were not sufficiently dedicated to investigating those cases and hold the perpetrators accountable.[65]

41. The Committee against Torture was concerned about the possibility provided in national legislation for retroactive immunity for acts of torture committed by members of the military and paramilitary forces under the provisions of the Actions (in Aid of Civil Power) Regulation of 2011 and the 2015 amendment to the Army Act. It was also concerned by the exclusive jurisdiction of the military justice system over soldiers accused of offences against civilians.[66]

42. The Committee on Economic, Social and Cultural Rights was concerned at the prevalence of corruption and the magnitude of corruption cases involving high-level officials.[67]

3. Fundamental freedoms and the right to participate in public and political life[68]

43. Several special rapporteurs called on Pakistan to adopt urgent measures to stop faith-based killings and ensure the security of the Ahmadiyya Muslim community, whose faith had been outlawed in the country. The special rapporteurs expressed concern that such violence was fuelled by existing blasphemy legislation particularly targeting minorities.[69] The Human Rights Committee expressed concern at the blasphemy laws that carried severe

penalties, including the mandatory death penalty, and reportedly had a discriminatory effect, particularly on Ahmadis. It was also concerned at the very high number of blasphemy cases based on false accusations and at violence against those accused of blasphemy.[43]

44. The same Committee was concerned that defamation was criminalized and could be punished with imprisonment, and at reports that criminal laws were improperly enforced against journalists and dissenting voices.[44] UNESCO recommended that Pakistan decriminalize defamation and place it within a civil code.[45]

45. The United Nations country team was concerned that the Prevention of Electronic Crimes Act of 2016 could interfere with legitimate expressions of religion and belief, and with privacy.[46] The Human Rights Committee recommended that Pakistan review the Act and establish independent oversight mechanisms for its implementation, including judicial review of surveillance activity.[47] Prior to its adoption, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression had stated that the bill, as a whole, raised several concerns owing to the vagueness of its provisions that would criminalize legitimate forms of expression.[48]

46. The Human Rights Committee was concerned at reports on the way in which the Pakistan Electronic Media Regulatory Authority exercised its powers with regard to the content of media outlets, including suspending over 20 programmes in the previous four years. It was also concerned at the lack of clarity on procedural safeguards and oversight mechanisms to ensure that the Regulatory Authority exercised its powers consistent with the principle of freedom of expression.[49]

47. The same Committee was also concerned that the minority quota in the national and provincial parliaments and in public services was applied only to religious minorities. It was further concerned at the removal of Ahmadis from the general electoral list and their registration on a separate voting list, the low level of exercise of the right to vote by women and the continued obstacles to effective access to voting for persons with disabilities and persons belonging to minorities, including gypsies.[50]

4. Prohibition of all forms of slavery[51]

48. Several treaty bodies were concerned that, despite the adoption of the Bonded Labour System (Abolition) Act of 1992, bonded labour practices persisted, particularly in the brick kiln and textile industries and among the scheduled castes (Dalits).[52]

49. The ILO Committee of Experts on the Application of Conventions and Recommendations expressed concern at the high number of working children who were under the minimum age for work. It urged Pakistan to strengthen efforts to improve the situation and to combat and eliminate both internal and cross-border trafficking of persons under 18.[53]

50. The United Nations country team urged Pakistan to amend the existing framework on trafficking, including the Prevention and Control of Human Trafficking Ordinance (2002) and the Prevention and Control of Trafficking Rules (2004), in order to cover various forms of trafficking, such as for prostitution, forced marriage and bonded labour, in Pakistan.[54]

51. The Committee against Torture urged Pakistan to take measures to eradicate and combat human trafficking and forced labour; investigate all allegations of trafficking and forced labour and ensure that perpetrators were prosecuted; establish mechanisms for the systematic and regular monitoring of workplaces in the formal and informal sectors in order to prevent forced and bonded labour; and ensure that victims of trafficking obtained redress.[55]

5. Right to privacy and family life[56]

52. The United Nations country team welcomed the approval of the Hindu Marriage Bill (2016). It encouraged Pakistan to ensure the immediate and effective implementation of the Bill, as well as of the Christian Marriages Amendment Bill (2014) and the Divorce Amendment Bill (for Christians) (2014).[57]

53. The United Nations country team noted that the Age of Marriage Bill for Girls, which was intended to increase the marriageable age from 16 to 18 years, had been rejected at the federal level and in two provinces, following the objection of the Council of Islamic Ideology.[95] Several treaty bodies were concerned that the minimum age for marriage for girls varied across provinces.[96]

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work[97]

54. The Committee on Economic, Social and Cultural Rights was concerned at the lack of comprehensive legislative or policy frameworks on labour protection.[98]

55. The same Committee was also concerned that the minimum wages did not cover all workers and that the minimum wage level varied among provinces. It was further concerned that the minimum wage was not sufficient to provide workers and their families with a decent living and that the level of compliance with the set minimum wage was low.[99]

56. The Committee was concerned at the high frequency and the devastating scale of occupational accidents and the high number of cases of occupational diseases. It was also concerned at the absence of a framework legislation on occupational safety and health and at the extremely small number of labour inspectors.[100]

2. Right to social security[101]

57. The Committee on Economic, Social and Cultural Rights recommended that Pakistan take all the measures necessary to improve its social security schemes with a view to progressively covering all workers in the country and providing a sufficient level of benefits so that they could enjoy an adequate standard of living. It also recommended that Pakistan establish a nationally defined social protection floor, in consultation with all relevant stakeholders.[102]

3. Right to an adequate standard of living[103]

58. The Committee on Economic, Social and Cultural Rights was concerned at the very high proportion of persons still living in poverty, especially in certain regions such as Sindh, the Federally Administered Tribal Areas and Balochistan.[104]

59. The same Committee was also concerned at the increasing trend of landownership concentration, which resulted in a large number of landless farmers and small-scale land holders living in poverty and exposed landless farmers to severe exploitation through feudal tenant arrangements.[105]

60. The Committee on Economic, Social and Cultural Rights recommended that Pakistan take all the steps necessary to address persisting acute hunger and malnutrition and, in particular, the critical nutritional needs of infants and children.[106]

61. The same Committee was concerned at the acute shortage of adequate housing and the lack of financing programmes for low-income families and at the high number of persons living without legal tenure in urban informal settlements with limited access to basic services. It was also concerned that people without secure tenure in urban areas and people living in areas where development projects were being carried out were often subject to forced evictions.[107]

62. The United Nations country team noted that 27.2 million Pakistanis still lacked access to safe water and that poor watershed management had serious repercussions for public health, sanitation and access to food, which primarily affected marginalized communities.[108] The Committee on Economic, Social and Cultural Rights recommended that Pakistan intensify efforts to increase access to safe drinking water and adequate sanitation facilities.[109]

4. Right to health[110]

63. The Committee on Economic, Social and Cultural Rights recommended that Pakistan make every effort to increase public expenditure in the health sector, further expand the coverage of the National Health Insurance Programme, strengthen its public health system with a view to providing free, quality, basic health services to all, including disadvantaged and marginalized individuals, and reduce the maternal, infant and under-5 mortality rates.[111]

64. The Committee on the Elimination of Discrimination against Women was concerned about the high maternal mortality rate, the lack of adequate access by women to family planning services, including contraceptives, restrictive abortion laws and the lack of adequate post-abortion care services.[112] The United Nations country team recommended that Pakistan ensure women's rights over their reproductive health through an enabling policy, improved access to quality services and improved information dissemination for a better understanding of those rights.[113]

65. The Committee on the Rights of the Child was concerned about the inadequacy of health-care services, especially in rural areas. It was also concerned about the child mortality rate and the increase in the rate of neonatal mortality, the increasing rate of polio infection, especially in the Federally Administered Tribal Areas, owing to the ban on vaccinations imposed by the Taliban and the killings of personnel providing vaccines for children, and at large-scale and frequent outbreaks of measles.[114]

5. Right to education[115]

66. The Committee on Economic, Social and Cultural Rights recommended that Pakistan intensify efforts to ensure that all children enjoyed, without discrimination, the right to education, which would empower children, particularly disadvantaged and marginalized children, and enable them to lift themselves out of poverty.[116] The United Nations country team made a similar recommendation.[117]

67. The Committee on Economic, Social and Cultural Rights also recommended that Pakistan increase enrolment rates at all levels of education, but particularly the primary level, with special attention to girls, children living in rural areas and children from low-income families; reduce the number of out-of-school children, including through coordination with child labour policies; improve school facilities, particularly water, sanitation and electricity; secure a sufficient number of qualified teachers and improve both the quality and quantity of learning materials; increase educational programmes that were appropriate and adequate to the needs of illiterate adults, paying special attention to women; enhance security at schools; provide an alternative space for education in case of an attack; and immediately and completely ban the use of schools by military forces.[118]

68. UNESCO noted a significant discrepancy between the quality of education provided in public and in private schools.[119] The Committee on Economic, Social and Cultural Rights recommended progressively eliminating social segregation in the education system by ensuring an education of equal quality to all children in all public and private schools.[120]

69. The Committee on the Elimination of Racial Discrimination and the Human Rights Committee were concerned that some school curricula and textbooks, including those of madrasas, had content that had the potential to incite hatred against religious and ethnic minorities.[121]

D. Rights of specific persons or groups

1. Women[122]

70. The Committee on the Elimination of Discrimination against Women was concerned about the existence of multiple legal systems regarding marriage and family relations and their discriminatory impact on women. It was concerned that, under Muslim law, women had unequal rights with respect to inheritance, dissolution of marriage and its economic consequences, and guardianship of children.[123]

71. The Committee on the Elimination of Racial Discrimination urged Pakistan to end the forced conversion and forced marriage of Christian and Hindu Dalit women.[124]

72. The Committee on the Rights of the Child remained extremely concerned about serious discrimination against girls and the persistent gender disparity in infant mortality rates and school enrolment rates, the persistence of early marriage and the exchanges of girls for debt settlement, as well as domestic violence targeting girls.[125]

73. The United Nations country team was concerned about the continuing lack of a standardized, disaggregated data collection mechanism on violence against women.[126]

74. The Committee on the Elimination of Discrimination against Women was concerned about the escalation of violent threats and attacks by non-State actors and military counter-operations and the negative impact of that situation on women and girls.[127]

75. The Committee expressed deep concern at reports of ongoing violent attacks and public threats against female students, teachers and professors by various non-State actors, and at the escalating number of attacks on educational institutions, in particular a large number of girls-only schools.[128]

76. The same Committee expressed concern at the high prevalence of domestic violence and marital rape and at the absence of clear legislation criminalizing such acts.[129]

77. The Committee on the Rights of the Child expressed serious concern about the increasing number of infanticides targeting girls.[130]

78. While noting the adoption of the Anti-rape Law (criminal amendment bill) in 2016 and the Anti-honour Killing Law (criminal amendment bill), the Committee against Torture was concerned about the reportedly high level of violence against women, including murder, rape, acid crimes, kidnappings, domestic violence and so-called "honour" killings. It was also concerned about the extremely low conviction rates for those crimes and at reports that parallel justice systems (jirgas and panchayats) had sentenced women to violent punishment or even death, including by stoning, and had provided lenient punishments for perpetrators of so-called "honour" crimes and other cases of serious gender-based violence.[131] The Human Rights Committee recommended that Pakistan effectively enforce anti-honour killings laws, anti-rape laws and other relevant laws criminalizing violence against women and domestic violence; enforce the prohibition of the application of *qisas* and *diyat* laws to so-called "honour"-related crimes; and continue to regulate and supervise jirgas.[132]

79. The Committee on the Elimination of Discrimination against Women reiterated its concern at the low participation of women in the judiciary of the superior courts and the total absence of women judges in the Supreme Court.[133] The United Nations country team recommended that Pakistan enact in a timely manner the recent amendment to the Supreme Court (Number of Judges) Act of 1997, which established a 25 per cent quota for women judges in the Supreme Court.[134]

80. The Committee on the Elimination of Discrimination against Women called upon Pakistan to amend relevant laws in order to increase the quotas allocated for women in the National and Provincial Assemblies and in the Senate to a minimum of 33 per cent, in accordance with international standards.[135]

81. The same Committee called upon Pakistan to establish a procedure for filing complaints in cases of forced disenfranchisement of women and to adopt the draft bill advocating re-polling in areas where less than 10 per cent of women's votes had been polled.[136]

82. The Committee was concerned about the low participation of women in the formal sector, job segregation and the concentration of women in low-paid and low-skilled jobs, and the widening pay gap and lack of legal provisions guaranteeing the principle of equal pay for work of equal value.[137] It was concerned that women in the informal sector were not recognized in the existing labour legislation as workers and did not have access to social security and benefits.[138]

83. The Committee on the Elimination of Discrimination against Women recommended that Pakistan improve the literacy rate of women and girls, reduce and prevent dropout among girls and formulate re-entry policies enabling young women to return to school after pregnancy.[139]

2. Children[140]

84. The Committee on the Rights of the Child reiterated its previous recommendation that Pakistan combat and prevent discrimination and negative societal attitudes and mobilize political, religious and community leaders to support efforts to eradicate traditional practices and attitudes that discriminated against children belonging to religious or other minority groups, children with disabilities, children living in poverty, children from Dalit communities, children living in rural or remote areas and lesbian, gay, bisexual and transgender children.[141]

85. The same Committee remained concerned that only approximately 30 per cent of children were registered at birth. It was particularly concerned about the complicated procedures and high fees for birth registration and the lack of effective measures to ensure the birth registration of children belonging to marginalized and disadvantaged groups, including children born out of wedlock, and refugee and internally displaced children.[142]

86. The Committee deplored the reports of systematic and widespread torture and ill-treatment of children in police stations and prisons, including reports of torture of children by the Faisalabad district police.[143]

87. The Committee on the Rights of the Child recommended that Pakistan review its laws and practices and exempt all children below the age of 18 years from punishment for *hudood* offences, in particular penalties such as amputation, whipping and stoning.[144]

88. The same Committee was seriously concerned about the large number of children falling victim to sexual abuse, exploitation, rape and abduction, including by the Taliban, in particular in the province of Khyber Pakhtunkwa.[145]

89. The United Nations country team encouraged Pakistan to urgently implement the provisions of the 2000 Juvenile Justice System Ordinance, including the establishment of juvenile courts.[146]

90. The Committee on the Rights of the Child was gravely concerned that children continued to be targeted for recruitment and training by armed groups for military activities.[147]

3. Persons with disabilities[148]

91. A group of special rapporteurs urged Pakistan to halt the execution of persons with disabilities.[149] The Special Rapporteur on the rights of persons with disabilities stated that Pakistan was bound to respect the right to life and the inherent dignity of detainees with disabilities, and must provide reasonable accommodation in detention.[150] The Human Rights Committee recommended that no one with serious psychosocial or intellectual disabilities be executed or sentenced to death. It also recommended that Pakistan establish an independent mechanism to review all cases and provide credible evidence that prisoners facing death had such disabilities.[151]

92. The Committee on Economic, Social and Cultural Rights recommended that Pakistan take the necessary steps to bring the definition of disability in its legislation in line with the Convention on the Rights of Persons with Disabilities and to include in its legislation denial of reasonable accommodation as a ground of discrimination.[152]

93. The same Committee also recommended that Pakistan develop a legislative and policy framework on inclusive education for children with disabilities and provide such education.[153]

4. Minorities[154]

94. The Committee on Economic, Social and Cultural Rights recommended that Pakistan take urgent legal measures to recognize the status of minorities other than religious

minorities, including racial, ethnic and linguistic minorities, in order to enable all persons belonging to minorities to enjoy their relevant rights and benefit from the policies and programmes designed for the protection of minority groups.[155]

5. Refugees, asylum seekers and internally displaced persons[156]

95. The Human Rights Committee welcomed the adoption of the Comprehensive Policy on the Voluntary Repatriation and Management of Afghan Refugees and the plan to conduct registration of undocumented Afghans, in August 2017. However, the Committee remained concerned at the delay in the adoption of a national refugee law and at reports that Afghans, particularly those without documents, were exposed to arbitrary arrests, harassment and threats of deportation by the police and security forces.[157] Several treaty bodies raised similar concerns.[158] The Committee against Torture recommended that Pakistan amend its legislation, particularly the Extradition Act of 1972 and the Foreigners Order of 1951, and procedures to fully comply with the principle of non-refoulement.[159]

96. The Committee on the Elimination of Racial Discrimination was concerned that access by unregistered refugees to public services had been restricted and about their living conditions in refugee camps and urban informal settlements.[160] The United Nations country team recommended that Pakistan fully implement the Constitutional right to free and compulsory education to all children regardless of their national identity.[161]

97. In March 2013, the Special Rapporteur on the human rights of internally displaced persons condemned the vicious attack on the Jalozai camp for internally displaced persons and stressed the humanitarian nature of the camp.[162] Several treaty bodies and the United Nations country team encouraged Pakistan to ensure adequate protection and assistance for internally displaced persons, particularly women and children.[163]

Notes

1 Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Pakistan will be available at www.ohchr.org/EN/HRBodies/UPR/Pages/PKindex.aspx

2 For relevant recommendations, see A/HRC/22/12, paras. 122.1-122.12 and 122.15.

3 See CEDAW/C/PAK/CO/4, para. 44, CERD/C/PAK/CO/21-23, para. 41, CRC/C/PAK/CO/5, para. 83, E/C.12/PAK/CO/1, para. 90, A/HRC/22/45/Add.2, para. 89 (a), and A/HRC/33/51/Add.7, para. 30.

4 See E/C.12/PAK/CO/1, para. 89, and CCPR/C/PAK/CO/1, para. 18.

5 See CEDAW/C/PAK/CO/4, para. 39, and United Nations country team submission to the universal periodic review of Pakistan, para. 54.

6 See CAT/C/PAK/CO/1, para. 27 (c).

7 See CRC/C/PAK/CO/5, para. 82.

8 See CEDAW/C/PAK/CO/4, para. 36, CERD/C/PAK/CO/21-23, para. 38, and CRC/PAK/CO/6, para. 66.

9 See CAT/C/PAK/CO/1, para. 35 (c), CEDAW/C/PAK/CO/4, para. 36, and CRC/C/PAK/CO/5, para. 66.

10 See CEDAW/C/PAK/CO/4, para. 24, and country team submission, para. 18.

11 See CEDAW/C/PAK/CO/4, para. 30.

12 Ibid. See also country team submission, para. 6.

13 See A/HRC/22/45/Add.2, para. 89 (b).

14 UNESCO submission to the universal periodic review of Pakistan, p. 6.

15 OHCHR, "Donor profiles" in: *OHCHR Report 2012*, p. 167, *OHCHR Report 2013*, p. 182, *OHCHR Report 2014*, p. 116, *OHCHR Report 2015*, p. 113 and *OHCHR Report 2016*, p. 132.

16 See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20382&LangID=E/. See also www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20638&LangID=E.

17 For relevant recommendations, see A/HRC/22/12, paras. 122.16-122.17, 122.42-122.50, 122.52, 122.55, 122.62-122.65, 122.69, 122.73, 122.94 and 122.152.

18 See country team submission, para. 7.

19 See E/C.12/PAK/CO/1, para. 12, and CCPR/C/PAK/CO/1, para. 10.

20 See CAT/C/PAK/CO/1, para. 20, A/HRC/33/51/Add.7, para. 34, and country team submission, para. 7.

21 See CCPR/C/PAK/CO/1, para. 10.

[22] See country team submission, para. 10.
[23] Ibid., para. 8.
[24] See UNESCO submission, para. 19.
[25] For relevant recommendations, see A/HRC/22/12, paras. 122.18, 122.38, 122.96, 122.122, 122.149 and 122.154.
[26] See E/C.12/PAK/CO/1, para. 20.
[27] See CCPR/C/PAK/CO/1, para. 12.
[28] See CERD/C/PAK/CO/21-23, para. 32, CRC/C/PAK/CO/5, para. 19, and E/C.12/PAK/CO/1, para. 32.
[29] See CERD/C/PAK/CO/21-23, paras. 15-16.
[30] See CAT/C/PAK/CO/1, para. 36.
[31] See CERD/C/PAK/CO/21-23, para. 20.
[32] See country team submission, para. 48.
[33] Ibid., para. 12.
[34] See E/C.12/PAK/CO/1, para. 22.
[35] See CCPR/C/PAK/CO/1, para. 12.
[36] For relevant recommendations, see A/HRC/22/12, paras. 122.54 and 122.57.
[37] See country team submission, para. 42.
[38] See CRC/C/PAK/CO/5, paras. 57-58.
[39] For the relevant recommendation, see A/HRC/22/12, para. 122.165.
[40] See A/HRC/22/45/Add.2, para. 90, and A/HRC/33/51/Add.7, para. 28.
[41] See A/HRC/22/45/Add.2, para. 91(a), and A/HRC/33/51/Add.7, para. 28.
[42] See CAT/C/PAK/CO/1, para. 12. See also CCPR/C/PAK/CO/1, paras. 21-22.
[43] See CAT/C/PAK/CO/1, para. 12.
[44] See CCPR/C/PAK/CO/1, para. 24.
[45] See CAT/C/PAK/CO/1, para. 12.
[46] See CRC/C/PAK/CO/5, para. 22, and www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15430&LangID=E.
[47] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15427&LangID=E and www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15433&LangID=E.
[48] See http://newsarchive.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13146&LangID=E and http://newsarchive.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13148&LangID=E.
[49] For relevant recommendations, see A/HRC/22/12, paras. 122.19-122.20, 122.98-122.100, 122.111, 122.114-122.115 and 123.1.
[50] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15447&LangID=E.
[51] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15452&LangID=E.
[52] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16068&LangID=E.
[53] See CRC/C/PAK/CO/5, para. 24. See also CAT/C/PAK/CO/1, para. 40.
[54] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15729&LangID=E, www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16290&LangID=E and www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16560&LangID=E.
[55] See CCPR/C/PAK/CO/1, para. 18.
[56] See A/HRC/33/51/Add.7, paras. 23-24.
[57] Ibid., para. 29. See also CCPR/C/PAK/CO/1, para. 20.
[58] See CAT/C/PAK/CO/1, para. 6.
[59] Ibid., paras. 7 (a)-(c).
[60] Ibid., paras. 9 (a). See also CCPR/C/PAK/CO/1, para. 19.
[61] See CAT/C/PAK/CO/1, para. 15.
[62] Ibid., para. 28. See also CCPR/C/PAK/CO/1, para. 27.
[63] See country team submission, p. 17.
[64] See CAT/C/PAK/CO/1, para. 16. See also A/HRC/33/51/Add.1, para. 26.
[65] For relevant recommendations, see A/HRC/22/12, paras. 122.56, 122.76, 122.101, 122.109-122.110 and 122.116-122.120.
[66] See A/HRC/23/43/Add.2, para. 102. See also CCPR/C/PAK/CO/1, paras. 31-32.
[67] See CAT/C/PAK/CO/1, para. 18. See also CEDAW/C/PAK/CO/4, para. 15.
[68] See A/HRC/23/43/Add.2, paras. 104-105.
[69] Ibid., paras. 125-127.
[70] See A/HRC/33/51/Add.7, para. 33.
[71] See CERD/C/PAK/CO/21-23, para. 23.
[72] See A/HRC/33/51/Add.7, para. 36.
[73] Ibid., para. 26.
[74] See UNESCO submission, para. 23. See also country team submission, para. 25.

[75] See A/HRC/33/51/Add.7, para. 25.
[76] See CAT/C/PAK/CO/1, para. 10. See also A/HRC/22/45/Add.2, para. 97.
[77] See E/C.12/PAK/CO/1, para. 17.
[78] For relevant recommendations, see A/HRC/22/12, paras. 122.14, 122.27-122.33, 122.75, 122.112, 122.121, 122.123-122.127 and 122.155-122.158.
[79] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14658&LangID=E.
[80] See CCPR/C/PAK/CO/1, para. 33. See also CERD/C/PAK/CO/21-23, para. 21, and CRC/C/PAK/CO/5, paras. 30-31.
[81] See CCPR/C/PAK/CO/1, para. 37.
[82] See UNESCO submission, para. 22.
[83] See country team submission, para. 24.
[84] See CCPR/C/PAK/CO/1, para. 36.
[85] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16879&LangID=E.
[86] See CCPR/C/PAK/CO/1, para. 37.
[87] Ibid., para. 47.
[88] For relevant recommendations, see A/HRC/22/12, paras. 122.39, 122.54, 122.60, 122.95 and 122.105-122.106.
[89] See CERD/C/PAK/CO/21-23, paras. 27-28, and E/C.12/PAK/CO/1, para. 45.
[90] See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3112812:YES.
[91] See country team submission, para. 18.
[92] See CAT/C/PAK/CO/1, para. 33.
[93] For relevant recommendations, see A/HRC/22/12, paras. 122.38, 122.40, 122.96, 122.102-122.103 and 122.154.
[94] See country team submission, para. 15.
[95] Ibid., para. 62.
[96] See E/C.12/PAK/CO/1, para. 55, CEDAW/C/PAK/CO/4, para. 37, CRC/C/PAK/CO/5, para. 16, and CCPR/C/PAK/CO/1, para. 41.
[97] For relevant recommendations, see A/HRC/22/12, paras. 122.129 and 122.163.
[98] See E/C.12/PAK/CO/1, para. 41.
[99] Ibid., para. 43.
[100] Ibid., para. 47.
[101] For relevant recommendations, see A/HRC/22/12, paras. 122.58, 122.140 and 122.163.
[102] See E/C.12/PAK/CO/1, para. 52.
[103] For relevant recommendations, see A/HRC/22/12, paras. 122.36, 122.58, 122.74, 122.128-122.133, 122.135, 122.160-122.161 and 122.163-122.164.
[104] See E/C.12/PAK/CO/1, para. 65.
[105] Ibid., para. 67.
[106] Ibid., para. 70. See also CRC/C/PAK/CO/5, paras. 22, 47 (d) and 48 (e).
[107] See E/C.12/PAK/CO/1, para. 71. See also www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16984&LangID=E.
[108] See country team submission, para. 42.
[109] See E/C.12/PAK/CO/1, para. 74. See also CRC/C/PAK/CO/5, para. 47 (d).
[110] For relevant recommendations, see A/HRC/22/12, paras. 122.68, 122.92, 122.136-122.138 and 122.162.
[111] See E/C.12/PAK/CO/1, para. 76.
[112] See CEDAW/C/PAK/CO/4, para. 31. See also CCPR/C/PAK/CO/1, paras. 15-16.
[113] See country team submission, para. 49.
[114] See CRC/C/PAK/CO/5, para. 47.
[115] For relevant recommendations, see A/HRC/22/12, paras. 122.68, 122.135, 122.140-122.148, 122.150 and 122.153.
[116] See E/C.12/PAK/CO/1, para. 80.
[117] See country team submission, para. 58.
[118] See E/C.12/PAK/CO/1, para. 80. See also CRC/C/PAK/CO/5, para. 62, and UNESCO submission, p. 7.
[119] See UNESCO submission, para. 21.
[120] See E/C.12/PAK/CO/1, para. 82 (e).
[121] See CERD/C/PAK/CO/21-23, paras. 17-18, and CCPR/C/PAK/CO/1, para. 33. See also E/C.12/PAK/CO/1, paras. 83-84, CRC/C/PAK/CO/5, paras. 30 and 63, and UNESCO submission, para. 19.
[122] For relevant recommendations, see A/HRC/22/12, paras. 122.21-122.23, 122.25-122.26, 122.35, 122.37, 122.40-122.41, 122.51, 122.53, 122.61, 122.66-122.68, 122.82-122.90, 122.93, 122.95, 122.97, 122.102-122.103, 122.107-122.108 and 122.139.

[123] See CEDAW/C/PAK/CO/4, para. 37. See also E/C.12/PAK/CO/1, para. 33, and CRC/C/PAK/CO/5, paras. 18-19.
[124] See CERD/C/PAK/CO/21-23, para. 32. See also CEDAW/C/PAK/CO/4, paras. 23 and 38.
[125] See CRC/C/PAK/CO/5, para. 18.
[126] See country team submission, para. 55.
[127] See CEDAW/C/PAK/CO/4, para. 13.
[128] Ibid., para. 27. See also CRC/C/PAK/CO/5, para. 61.
[129] See CEDAW/C/PAK/CO/4, paras. 21-22.
[130] See CRC/C/PAK/CO/5, para. 22.
[131] See CAT/C/PAK/CO/1, para. 30. See also country team submission, para. 60, and CEDAW/C/PAK/CO/4, para. 15.
[132] See CCPR/C/PAK/CO/1, para. 14.
[133] See CEDAW/C/PAK/CO/4, paras. 25-26. See also A/HRC/23/43/Add.2, paras. 76-81.
[134] See country team submission, para. 28. See also CAT/C/PAK/CO/1, para. 18.
[135] See CEDAW/C/PAK/CO/4, paras. 25-26.
[136] Ibid., para. 26.
[137] Ibid., para. 29.
[138] Ibid., paras. 29-30. See also E/C.12/PAK/CO/1, paras. 37-38.
[139] See CEDAW/C/PAK/CO/4, para. 28 (a). See also CRC/C/PAK/CO/5, paras. 61-62.
[140] For relevant recommendations, see A/HRC/22/12, paras. 122.23-122.24, 122.34, 122.40, 122.59, 122.71-122.72, 122.104, 122.134 and 122.151.
[141] See CRC/C/PAK/CO/5, para. 19.
[142] Ibid., para. 28. See also CCPR/C/PAK/CO/1, paras. 43-44.
[143] See CRC/C/PAK/CO/5, para. 32.
[144] Ibid., paras. 32-33.
[145] Ibid., para. 36.
[146] See country team submission, para. 30.
[147] See CRC/C/PAK/CO/5, para. 69.
[148] For the relevant recommendation, see A/HRC/22/12, para. 122.91.
[149] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20593&LangID=E.
[150] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16275&LangID=E.
[151] See CCPR/C/PAK/CO/1, para. 18 (c).
[152] See E/C.12/PAK/CO/1, para. 24.
[153] Ibid., para. 80 (j).
[154] For relevant recommendations, see A/HRC/22/12, paras. 122.87, 122.151, 122.154 and 122.158.
[155] See E/C.12/PAK/CO/1, para. 30.
[156] For the relevant recommendation, see A/HRC/22/12, para. 122.59.
[157] See CCPR/C/PAK/CO/1, para. 45.
[158] See CERD/C/PAK/CO/21-23, para. 38.
[159] See CAT/C/PAK/CO/1, paras. 34-35 (a).
[160] See CERD/C/PAK/CO/21-23, paras. 37-38.
[161] See country team submission, para. 69.
[162] See http://newsarchive.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13189&LangID=E.
[163] See CEDAW/C/PAK/CO/4, para. 36; CRC/C/PAK/CO/5, para. 67; E/C.12/PAK/CO/1, para. 28; and country team submission, para. 70.